

1 IAN M. SAMMIS
2 Attorney at Law
3 Cal. State Bar #45883
4 1108 Tamaipais Avenue #1
5 San Rafael, CA 94901
6 Tel.: 415-457-4200

7 Attorney and Plaintiff

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 STEVEN L. McCARTY,
12 Plaintiffs,

)
) CIVIL No.: C-04-05060 MHP
)

13 vs.

) STIPULATION AND ORDER
)

14 MICHAEL J. ASTRUE¹,
15 Commissioner of Social Security,
16 Defendant.
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18 IT IS HEREBY STIPULATED by the undersigned for the respective parties, subject to the
19 approval of the Court, that Plaintiff has an extension of 10 days after entry of this Order to file
20 his opposition to Defendant's opposition to Plaintiff's Motion to Set Aside Wrongful Offset of
21 EAJA Attorney Fee and Motion for Fed.R.Civ.P. Rule 60(a) Order.
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23 IT IS SO STIPULATED:
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¹ Michael J. Astrue became the Commissioner of Social Security on February 12, 2007. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Michael J. Astrue should, therefore, be substituted for Commissioner Jo Anne B. Barnhart as the defendant in this suit. No Further Action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Dated: May 22, 2007

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3 Signed /Ian M. Sammis/

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5 IAN M. SAMMIS

6 Attorney for Plaintiff

7 Dated: May 23, 2007

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9 Signed /Dennis Hanna/

10 DENNIS J. HANNA

11 Special Assistant United States Attorney and
12 Attorney for the Commissioner

13 ORDER

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15 PURSUANT TO STIPULATION, IT IS SO ORDERED.

16 Dated: May 31, 2007

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19 Honorable MARILYN H. PATEL
20 United States District Judge

